

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY KING, et.al.,
Plaintiffs,

Case No. 20-cv-13134
Hon. Linda V. Parker

v

GRETCHEN WHITMER, in her official capacity as Governor State of Michigan, *et.al.*,
Defendants,

and

**ROBERT DAVIS,
CITY OF DETROIT,
DEMOCRATIC NATIONAL COMMITTEE,
MICHIGAN DEMOCRATIC PARTY,**
Intervenor-Defendants.

/

ANDREW A. PATERSON (P18690)
Attorney for Intervenor-Defendant R. Davis
2893 E. Eisenhower Pkwy
Ann Arbor, MI 48108
(248) 568-9712
[aab43@outlook.com](mailto:aap43@outlook.com)

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**INTERVENOR DEFENDANT ROBERT DAVIS' RESPONSE
IN OPPOSITION TO PLAINTIFFS' AMENDED MOTION TO
ADJOURN JULY 6, 2021 HEARING (DOCKET NO. 126)**

NOW COMES, INTERVENOR DEFENDANT ROBERT DAVIS

(hereinafter "Intervenor Defendant Davis"), by and through his

attorney, ANDREW A. PATERSON, and for his Response in Opposition to Plaintiffs' Amended Motion to Adjourn July 6, 2021 Hearing (Docket No. 126), states the following:

After granting Plaintiffs' requests for extensions to file responses to the multiple motions for sanctions, on June 8, 2021, the Court issued a notice of hearing setting a hearing date on Defendants' and Intervening Defendants' meritorious motions for sanctions (Docket Nos. 69, 78, 105) to be held on July 6, 2021 via ZOOM. (Docket No. 122). On June 17, 2021, the Court then entered an order requiring "[e]ach attorney whose name appears on any of Plaintiffs' pleadings or briefs shall be present at the motion hearing set for July 6, 2021 at 2PM." (Docket No. 123).

As noted, the hearing scheduled for July 6, 2021 is to be conducted via ZOOM and **NOT** in-person! Therefore, although Plaintiffs' counsel may be on vacation with her children, there is no excuse for Plaintiffs' counsel not to be able to set aside adequate time to appear via VIDEO CONFERENCE for the July 6, 2021 hearing. The convenience of having the motion hearing conducted via Zoom allows ALL COUNSEL to appear no matter where they may be. There is simply no legal basis

to adjourn this hearing considering Defendants' and Intervening Defendants' motions for sanctions have been pending before the Court for quite some time. More importantly, the Court has recognized the importance of this hearing and the merit of Defendants' and Intervening Defendants' pending motions for sanctions considering the Court entered an order requiring “[e]ach attorney whose name appears on any of Plaintiffs' pleadings or briefs shall be present at the motion hearing set for July 6, 2021 at 2PM.” (Docket No. 123).

As noted, although Plaintiffs' counsel may be on vacation, because the hearing is being conducted via Zoom and NOT in-person, there is no plausible excuse for Plaintiffs' counsel not to be able to appear. Again, as noted, Plaintiffs' counsel can easily set aside adequate time while she's on vacation to appear via video conference on July 6th, which would not in any disturb her vacation with her children.

CONCLUSION

WHEREFORE, for the foregoing reasons, Intervenor Defendant Robert Davis prays that this Honorable Court DENY Plaintiffs' amended motion to adjourn the July 6, 2021 hearing (Docket No. 126).

Dated: June 30, 2021

Respectfully submitted,

/s/ANDREW A. PATERSON
ANDREW A. PATERSON (P18690)
Attorney for Intervenor Defendant
Davis
2893 E. Eisenhower Pkwy
Ann Arbor, MI 48108
(248) 568-9712
[aab43@outlook.com](mailto:aap43@outlook.com)

CERTIFICATE OF SERVICE

I, ANDREW A. PATERSON, certify that the foregoing document(s) was filed and served via the Court's electronic case filing and noticing system (ECF) this 30th day of June, 2021, which will automatically send notification of such filing to all attorneys and parties of record registered electronically.

Dated: June 30, 2021

Respectfully submitted,

/s/ ANDREW A. PATERSON
ANDREW A. PATERSON (P18690)
Attorney for Intervenor Defendant
Davis
2893 E. Eisenhower Pkwy
Ann Arbor, MI 48108
(248) 568-9712